

**REMARKS**

Claims 33-61 and 65-67 were presented for examination in the present application. The instant amendment cancels claims 47-48 and 67, as well as adding new claims 68-73. Accordingly, claims 33-46, 49-61, 65-65, and 68-73 are presented for consideration upon entry of the instant amendment. Claims 33 and 68 are independent.

Independent claim 33, as well as dependent claims 35-42, 45-48, 50-51, 58-61, and 65-66 were rejected under 35 U.S.C. §103 over U.S. Publication No. 2001/0030320 to Budd et al. (Budd) in view of newly cited U.S. Patent No. 6,802,619 to Ohizumi et al. (Ohizumi). Dependent claims 34 and 52-57 were rejected under 35 U.S.C. §103 Budd and Ohizumi in further view of U.S. Patent No. 5,550,676 to Ohe (Ohe). Dependent claims 43-44 were rejected under 35 U.S.C. §103 Budd and Ohizumi in further view of U.S. Publication No. 2003/0127973 to Weaver et al. (Weaver). Dependent claim 49 was rejected under 35 U.S.C. §103 Budd and Ohizumi in further view of U.S. Patent No. 6,777,871 to Duggal (Duggal).

Applicants respectfully submit that amended claim 33 is not disclosed or suggested by the cited art.

Applicants note that amended claim 33 is not intended to be limited to the specific mechanisms of patentability previously argued with respect to any prior claims and, thus, Applicants rescind any disclaimer of claim scope with respect to these prior claims such that any prior art, for which such a disclaimer was made to avoid, may need to be revisited by the Examiner with respect to amended claim 33.

Independent claim 33 has been amended to remove various elements, to include elements of claims 47-48, which have been cancelled. In addition, independent claim 33 has been amended to now recite that the at least one OLED is "includes **contact surfaces that extend along the longitudinal direction** of the OLED, the **contact**

**surfaces forming busbars** for supporting the conductivity electrode layers of the OLED (emphasis added)".

Support for this amendment can be found in the specification at least at paragraphs [0089]-[0091], as well as in Figures 9A and 9B. No new matter is added.

Applicants submit that Budd clearly fails to disclose or suggest the **contact surfaces** that are in addition to the conductivity electrode layers of the OLED. Further, Applicants submit that Budd clearly fails to disclose or suggest that such **contact surfaces** can form **busbars** for supporting the conductivity electrode layers of the OLED. Moreover, Applicants submit that Ohizumi, Weaver, Ohe, and Duggal do not cure these deficiencies in Budd.

Claim 33 further recites that the at least one OLED is of "strip-shaped form".

Applicants submit that the cited art fails to disclose or suggest the combination of OLEDs having a "**strip-shaped form**" in combination with the "**contact surfaces**" of amended claim 33.

The present application discloses that:

The contact surfaces 55 and 56 have a good conductivity, and so along the longitudinal direction L substantially no voltage drops across the electrode layers 52 and 54 and no electrical power is lost. This effect would otherwise occur, in particular, with the use of an indium tin oxide layer as transparent electrode layer 54 with a relatively high resistivity. The contact surfaces 55 and 56 therefore serve as busbars for supporting the conductivity of the electrode layers 52, 54 of the OLED 5. See paragraph [0089].

Applicants submit that the "**strip-shaped**" OLED's in combination with the claimed "**contact surfaces**" provide more than a predictable use of prior art elements according to their established functions.

Accordingly, claim 33, as well as claims 34-46, 49-61, and 65-66 that depend therefrom, are in condition for allowance over the cited art. Reconsideration and withdrawal of the rejection to claims 33-46, 49-61 and 65-66 are respectfully requested.

Applicants further traverse the rejection of dependent claims 50 and 51.

Claim 50 recites that the light entry surface is arranged obliquely to the light guidance direction, while claim 51 recites that the light entry surface is curved.

The court held that the configuration of the claimed disposable plastic nursing container was a matter of choice which a person of ordinary skill in the art would have found obvious absent persuasive evidence that the particular configuration of the claimed container was significant. *In re Dailey*, 357 F.2d 669, 149 USPQ 47 (CCPA 1966).

The present application provides, at least in paragraph [0031], with respect to the light entry surface being arranged obliquely to the light guidance direction of claim 50 that:

Furthermore, the light entry surface can be arranged obliquely to the light guidance direction. It is thereby possible to ***enlarge the light entry surface by comparison with a perpendicular arrangement*** in relation to the light guidance direction. An OLED of larger area can also be coupled correspondingly, ***it thereby being possible to increase the luminous intensity of the element***. The average direction of light propagation is understood as the light guidance direction in this case. The component beams can, however, certainly run at an angle to this direction and be reflected at the surface of the light-guiding device such that they follow a zigzag path about this direction. Moreover, owing to the oblique arrangement it is possible to adapt the angular distribution of the light reflected by the OLED to the critical angle of total reflection in the light-guiding device, and to optimize it.

Thus, when using OLED layers that are deposited directly on the light entry surface of the light-guiding as in claim 33, it has been further determined by the present application that the combination recited by claim 50 allows for significant benefits simply

not ***contemplated or predicted*** by the cited art.

Further, the present application provides, at least in paragraph [0032], with respect to the light entry surface being curved of claim 51 that:

Moreover, ***the angular distribution of the emitted light can also be adapted with the aid of a suitably curved light entry surface***. For example, the light entry surface can be curved concavely or convexly or in the shape of a cylindrical lens.

Thus, when using OLED layers that are deposited directly on the light entry surface of the light-guiding as in claim 33, it has also been further determined by the present application that the combination recited by claim 51 allows for significant benefits simply not ***contemplated or predicted*** by the cited art.

Accordingly, Applicants submit that claim 50 and claim 51 are not disclosed or suggested by the cited art.

Claims 68-73 have been added to point out various aspects of the present application. Support for new claims 68-73 can be found in the specification at least at paragraphs [0089]-[0091], as well as in Figures 9A and 9B. No new matter is added.

Applicants specifically point out that new claims 68-73 are not intended to be limited to the specific mechanisms of patentability previously argued with respect to any prior claims in this or any related applications. Accordingly, Applicants hereby rescind any disclaimer of claim scope and, thus, any prior art for which such a disclaimer was made to avoid may need to be revisited by the Examiner with respect to new claims 68-73.

It is believed that new claims 68-73 are in a condition for allowance. For example, independent claim 68 recites, in part, "a first contact surface along a longitudinal direction of the OLED", "a second contact surface along the longitudinal direction of the OLED", where "the first and second contact surfaces serving as busbars

for supporting conductivity of the transparent and second electrode layers”.

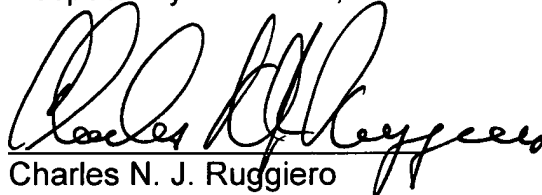
Applicants submit that the cited art fails to disclose or suggest the claimed first and second contact surfaces of claim 68. Therefore, claim 68, as well as claims 69-73 that depend therefrom, are in condition for allowance. In addition, dependent claim 72 recites that the first and second contact surfaces each comprise “a portion extending on opposite lateral surfaces of the light-entry surface”, which is not disclosed or suggested by the cited art. Further, claim 73 recites that “the portion of the first and second contact surfaces are reflective surfaces”, which is also not disclosed or suggested by the cited art.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

If for any reason the Examiner feels that consultation with Applicants’ attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

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Respectfully submitted,



Charles N. J. Ruggiero

Reg. No. 28,468

Attorney for Applicant(s)

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10<sup>th</sup> floor

Stamford, CT 06901-2682

Tel: (203) 327-4500

Fax: (203) 327-6401